

relatively modest tax reduction as compared to the tax increase and revenue growth that has occurred in the 6½ years that Bill Clinton has been President, even if we cut taxes by the amount of the entire surplus, which we are not proposing to do. But even if we did, the tax burden would still be higher than it was the day Bill Clinton became President. That is a point I think people need to understand.

Mr. DOMENICI. Mr. President, I want to wrap this up, and I intend to do this everywhere I can, anyplace I am asked, on any TV show I can get on. In summary, plain and simple, it is the following: The man who is most responsible for a good American economy is probably Dr. Alan Greenspan of the Federal Reserve Board. He has said:

I would prefer that we keep the surplus in place and reduce the public debt. If that proves politically infeasible, cutting taxes is far superior to spending it.

Here is the Republican budget: Debt reduction in Social Security, in literal numbers, I used in the summary 50 percent; it is actually 56 percent. Literally, the tax cut is less than a quarter; it is 23 percent. The money left over for Medicare and other programs is 20.1 percent. Frankly, that is a good plan. That is balanced, and it is not risky.

Here it is encapsulated in another manner. Here is the President's plan: Of the \$3.3 trillion accumulated over the next decade, \$1.901 trillion goes into Social Security and debt service. He contends he has done more in debt service than we have. Frankly, who do you believe? We believe the Congressional Budget Office. They say we are putting more on the debt than the President is. So when his emissaries get on television and say "we want to reduce the debt," the implication is that Republicans don't. But we are doing the same amount, or more, than the President. It is right there.

The President then says that they don't want to do any tax cuts because, if you look at his budget, according to the Congressional Budget Office, including a tax cut—which is not a tax cut—he spends every nickel of it. If you want to talk about a risky policy, that is a risky policy. From what I can tell, that is what Dr. Alan Greenspan said would be the worst thing to do—to spend all the surplus.

Last, our plan: Debt reduction and Social Security trust fund encapsulated, so they can't be spent, in a lockbox. Tax cuts, \$794 billion, and for expenditure items that are very necessary, such as Medicare, education, defense, and others, there is \$434 billion left over.

Now, it is very difficult when the Secretary of the Treasury—the new one—gets on talk shows and says what a risky policy this is. He talks about the fact that they want to preserve or do more on the debt than we do. We are bound by the Congressional Budget Office in the Congress, and they tell us we are doing as much, or more, than the President in that regard. They tell us the President is spending every dime

of the surplus on one program or another, or for a tax cut that is not a tax cut. And they maintain that a Republican plan that says, use 75 cents on a dollar for Social Security, debt reduction, Medicare, and domestic priorities, and give 25 percent back to the public, is risky. What is risky about it? Is it risky to give 25 cents out of a dollar back to the public to spend and less risky to keep it here and let the Federal Government spend it? I don't believe anyone would agree it is more risky to give some of it back to Americans and let them spend it, as compared with keeping it here and spending the entire 100 percent of the surplus on Federal Government-controlled programs and projects.

Whatever time I have remaining, I yield back, and I yield the floor.

Mr. CRAPO addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Idaho.

Mr. CRAPO. Mr. President, I yield myself such time as I may consume.

Mr. President, I will commit most of my time to comments on the debate with regard to returning to the full import of Rule XVI. However, before I do that, I want to comment on the debate that has just taken place regarding tax relief. I think it is critical that we in America today understand that we have moved into a time of budget surplus, just what those surpluses mean, and what the opportunities are for the American people.

Prior to the last 3 or 4 years, we saw, I think, that most Americans became accustomed to the fact we were running very large deficits, and that the Federal Government was not able to conduct its fiscal policy in a manner that was balanced. One of the commitments I made when I ran for the House of Representatives 6 years ago was to work to try to balance the Federal budget. Fortunately, for me, and I think for all Americans, we were able to successfully achieve that objective.

The budget today is balanced. In fact, the projections we just heard talked about show that no matter how you look at the budget—whether you count the Social Security dollars, which I don't think should be counted, or whether you don't—we are moving into a balanced posture for the Federal Government.

The debate today is over what we do in a surplus posture. It is a debate that Americans have not been able to have for decades because our Government has not run surpluses. Now that we are engaged in this debate, it is critical for Americans to focus and to identify what our fiscal policy should be as we move into an era of projected surpluses.

In that context, I think it is critical that a few important priorities be recognized and acknowledged by the country.

First and foremost, I am glad we have agreement on the principle, even though we don't have agreement on the details yet, that we have to protect the Social Security trust fund surplus dollars, and make certain that what

Americans pay into the Social Security system is not then taken by Congress and the President and spent on other spending by counting those surpluses against the unified budget.

We have a lock—in a way, a lockbox—which is now before the Senate that we have voted on six or seven times this year. We have to make sure those parts of the surplus remain dedicated to the Social Security trust fund. With the remainder of what I call the true budget, the onbudget surplus, we have to decide as a country on what we are going to focus.

Over the next 10 years, we will have a surplus somewhere in the neighborhood of \$1 trillion. You have heard different numbers discussed today. I think it is important that we not continue the path of growing the Federal Government, expanding the spending posture of the Federal Government, and spending those surplus dollars. If we do so, we will find a time in the near future when we will not be able to maintain surpluses in our budget; we will return to deficits, and we will see the national debt continue to rise.

As a result of that, I think it is critical we focus on two high priorities. One is to reduce the national debt. Although we have balanced the Federal budget, we haven't reduced the national debt to zero. That should be one of our highest priorities. Two is to make sure that we return to the American people a tax cut.

The American people recognize that this is an opportunity. It is an opportunity that we may not have too many times as we work through these difficult budget times to achieve tax relief. But to use, as the Senator from New Mexico indicated, just one quarter of this total surplus picture for tax relief I think is an appropriate commitment.

That leaves us the opportunity to provide resources to parts of our Federal obligation that need strengthening. It gives us and the American people the opportunity to strengthen and to stabilize the Social Security trust fund. It is a sound policy.

I think America should begin to focus on this debate as Congress works its way into a very important new era: How do we deal with budget surpluses?

RESTORATION OF THE ENFORCEMENT OF RULE XVI—Continued

Mr. CRAPO. Mr. President, I came to the floor to talk about the question that we will vote on at 5:30; namely, will we restore the meaning of rule XVI?

Over the last 2 or 3 months, there has been a lot of debate and discussion among us in the Senate on this issue. One part of that debate has been that it was the Republicans who changed the rule by voting to override it a couple of years ago. The Democrats at that time voted not to override it.

Today, you have the anomaly on the floor where the Republicans are saying let's restore that rule because it was a mistake to override it, and the minority is saying we don't want to restore that rule because it is something that we are able to use as a tool in the current climate.

I wasn't here 2 years ago. I am in the seventh month of my first year in the Senate. I wasn't a part of that debate. But I can go back to 7 years ago now when I ran for Congress. I ran for the House of Representatives. One of the things I said then was that I thought a problem in our system in Washington was the fact that amendments were being put forward by Members of the House and the Senate—Republican and Democrat—that were not related to that legislation.

I come from Idaho. In the Idaho Legislature, that is not allowed. You can't offer an amendment to a bill that doesn't relate to the bill on which you are working. I think that is probably the way it is in most State legislatures. It is the way the Senate rules require that we operate.

I think one of the other Senators who was debating it earlier in the day indicated that these are not new rules we are fighting over now in this rather partisan era of politics. The genesis of this approach was way back in, I think, 1868 in one of the earlier predecessors to this rule XVI, when it was recognized by the Members of the Senate that proper legislative protocol was that the bill on the floor should be amended by amendments that were related only to that bill.

Why would we have a big debate over that concept?

When I was running for office 6 years ago, I thought there was a pretty strong national understanding that one of the problems we were facing in the Federal Government was the fact that legislation was proliferating, spending was proliferating, and there seemed to be no way to bring it under control. Part of the problem was all of the non-germane or unrelated legislation that was being tacked on as riders to legislation that was moving through. Legislation that wouldn't necessarily have the ability to move on its own was being attached to a vehicle that was moving through, and then that vehicle would carry it through to success and enactment into law.

I believe that is wrong legislating. That is the wrong policy under which we should legislate. I think it results in bad policy decisions being worked into law because they are attached to something else that has the ability to carry them over the finish line when they themselves don't have the merit to be enacted.

I believe that is why in 1868 the Senate proposed the predecessor to this rule that would start the Senate down the road of having a protocol that you could not put amendments on legislation that was not relevant to that legislation.

What does rule XVI say? What does the rule we are fighting over say?

Sometimes people say to me these procedural issues are arcane and you shouldn't spend so much time worrying about them. But, frankly, I think it is critical. There is an issue that is important to this institution, and it is important to America. It has a very big impact on the kinds of policy decisions that this Nation will make.

What does the rule we are fighting over say? It says:

On a point of order made by any Senator, no amendment offered by any other Senator which proposes general legislation shall be received to any general appropriations bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received, nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto.

That is a sensible statement of what the policy should be. This rule says as to appropriations bills—I think that we should have it be that way with regard to all bills—an amendment that doesn't relate to that bill is not in order.

That is the issue we are debating today.

I was on the floor earlier when several of my colleagues from the other side gave very strong and impassioned arguments as to why they are going to vote against this legislation.

Actually, as Senator GRAMM from Texas indicated, after listening to those same arguments, I found very little that I disagreed with in their debate about what they believe should be the protocol of the Senate and what they believe should be our attitude toward this great institution of government.

The argument that seems to be made is that because we are not able to get all of our agenda put forward on the bills that we want to see put forward, we need the opportunity to bring non-germane amendments to appropriations bills. It was said that the opportunity to bring their issues forward was not being allowed to them.

I agree that they should have that opportunity, although I find it a little difficult to see that they are not having it.

I remember 2 or 3 weeks ago when this issue came to a point when we were debating the agriculture appropriations bill. An amendment related to health care was brought and debated on the floor of this Senate with regard to the agriculture appropriations bill. At the time, what happened? We had a lot of debate about whether we should be debating health care on an agriculture bill. Ultimately we reached a resolution by which we took the agriculture appropriations bill off the floor, came back a week or so later, and brought the health care legislation to the floor, had a full week of debate on the health care issue, and finally a vote on that health care issue.

To me, the question of whether the legislation is moving forward or the

issues the minority wants to see brought forward can be brought forward is one that has to be focused on closely. In the Senate—and the good Senator from West Virginia very well and very carefully explained the difference between the House and the Senate—in the Senate, as compared to the House, the minority rights do give the minority many powerful opportunities to bring forth their legislation and their ideas, not the least of which are the filibuster, the hold, and any number of other procedural opportunities they may have. I am convinced the minority's rights to bring forward their issues for argument are well protected. I would say to the Senators who are concerned about that, I agree with them, they should be protected.

The way a legislature should operate is that both sides should be able to bring forward their issues and the clash of ideas should take place on the floor of the Senate. The Senate should then vote based on principle, on what the policy of the country should be on the issue being debated.

What should not happen is that, as an important bill that is moving forward is being debated, something that cannot survive the clash of ideas gets attached to it as a rider and then slides through into law without that opportunity for the clear and concise focus that would be followed if rule XVI were followed.

Although we are debating a procedural issue today, the issue could not be more important to the governance of this Senate and to the governance of this country. I do not remember who it was, but one of the great political leaders of the country once said: If you give me control over the procedure, I can control the outcome. Procedures are critical to the proper outcome in a legislative body. I agree wholeheartedly with my colleagues; our procedures must be fair; they must be balanced. In that context, I would willingly support any efforts to make the system here more fair and more balanced.

I look at this not as a Republican or a Democrat. As I said, I was not here 2 years ago when the fight took place to change the rule from what it was before. I believe Republicans and Democrats break the spirit of this rule regularly in the Senate. To me, we have to look at what is the right principle by which this great institution should be governed. When we identify the principle by which we should be governed, without partisan considerations, we should enact that principle into our rules. That is what I believe was done in 1868. I think that is what the Senate has done historically with what is now rule XVI and with the principle that we should not allow non-germane riders to be attached to legislation being considered on the floor of the Senate.

I would like to conclude my remarks by going back to a theme that has been brought up by the Senator from West Virginia, and that is his respect for this great institution. It is one of the

greatest honors that ever could be bestowed on anyone to have the privilege to serve in this Chamber, the Senate. I feel about my opportunity that deeply. I want to do nothing other than to make this institution the great institution our Founding Fathers intended for it to be. It will be that kind of institution if we look beyond partisanship, beyond politics, and beyond personal attacks, and identify the principles by which we should govern ourselves, put those principles into place, and then operate within their limits.

I yield the remainder of my time.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, it is my understanding the order of business is S. Res. 160, a resolution to restore an interpretation of rule XVI of the Senate.

The PRESIDING OFFICER. The Senator is correct.

Mr. MURKOWSKI. Further, it is my understanding this interpretation of the rule would allow a Senator to make a point of order against any amendment to an appropriations bill that is not germane to appropriations.

The PRESIDING OFFICER. The issue is legislation on an appropriations bill.

Mr. MURKOWSKI. So in effect it would not allow a Senator to legislate policy changes on appropriations bills if a point of order was made against the amendment?

The PRESIDING OFFICER. That is correct.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I think this is one of the most significant opportunities this body has had in some time to address an internal disregard for our responsibility. As a consequence, I rise in strong support of S. Res. 160, the resolution, that would overturn the rule XVI precedent the Senate adopted on March 16, 1995, which effectively hijacked the authorization process by allowing Senators to routinely offer legislative amendments on general appropriations bills.

Doing a little research, it was less than a year ago when the Senate voted on the 4,000-page, 40-pound, \$540 billion omnibus appropriations bill. Not only did that bill contain funding for various Federal agencies including the Departments of Agriculture, Commerce, State, and Justice, the District of Columbia, Foreign Ops, Interior, and Labor-HHS; but it also included numerous authorization bills. A few of them contained in that package were the American Competitiveness Act, the Internet Tax Freedom Act, the Internet Decency Act, the Vacancies Act, the reauthorization of the Office of National Drug Control Policy, the Drug Free Workplace Act, the Drug Demand Reauthorization Act, the Foreign Affairs Reform and Restructuring Act, the Chemical Weapons Convention Implementation Act—I could go on and on.

In addition, that monstrosity of a bill included tax extender legislation

and more than \$20 billion of so-called emergency spending.

One has to ask the question why we need authorizing committees when we allow appropriations bills to include authorizing legislation. Why should the Finance Committee, for example, exist if the appropriators can include tax legislation in their bills? Why should the Commerce Committee hold meetings when the American Competitiveness Act can be included in an appropriations bill?

We have example after example. I recall not so long ago the battle we fought over the fiscal 1998 Interior appropriations. The Clinton administration at that time decided on its own to acquire the Headwaters Forest in northern California—that was at a cost of \$315 million—further, the Administration also decided to acquire the New World Mine site in Montana, at a cost of \$65 million.

I am not going to speak to the merits of these acquisitions, but I am going to speak to the manner in which they were done because here you have an administration that prides itself on public participation. These decisions were made with no congressional involvement. The administration sought to bypass the authorizing committees entirely and have the appropriators essentially just write a check for the purchase of those properties, and that is just what they did.

I happen to be chairman of the authorizing committee with jurisdiction, the Energy and Natural Resources Committee. I wanted the opportunity for the committee to carefully review the merits of these acquisitions. We tried, but the argument failed, and the authorization and funding were included in the 1998 Interior appropriations bill. That was much to the administration's delight. They got their way. But the public, the process, the committee of jurisdiction, had no opportunity to review these significant purchases, no opportunity to hold hearings, no opportunity for open debate or any type of public review. That is what is wrong with this system.

Today we have an opportunity to begin to change that. Moreover, what has happened since this precedent was changed in 1995 is that appropriations bills become far more difficult to pass. As we know—we have seen it lately—they are held hostage to nonappropriations issues, and the delays in getting them completed raise the specter of a Government shutdown at the end of each session. We saw it just 3 weeks ago, an example of how authorizing legislation stands in the way of the appropriations process.

For nearly a full week, the agriculture appropriations bill was stalled because Members on the other side of the aisle demanded we consider the Patients' Bill of Rights. As a result, the Senate had to stop the appropriations process for an entire week as we debated this important health issue.

I happen to support the Patients' Bill of Rights that was adopted by the Sen-

ate. I believe we should, first of all, have completed all of the appropriations bills before we engaged in that debate and other debates. As of today, we still have not moved forward on the agriculture bill.

Because of the delays in the appropriations process, what has been happening in recent years is that when the end of the fiscal year approaches, the appropriators and the leadership have to come together to engage in a negotiation with the White House to ensure the Government continues to function. As was demonstrated last year, authorizing bills and appropriations bills get mixed in together in a single omnibus bill which is negotiated by a hand-picked group of people. Authorizers do not participate in the process and, therefore, have no say in the substance of the legislation.

This is wrong. This is not the way the Senate was set up to function.

As a consequence, as we look at where we are today, the founders intended the Senate to operate with a representative process with the authorizing committees doing their job. They were not created simply to provide oversight. Those committees do important things such as holding hearings, drafting legislation based on their knowledge gained from such hearings, and that is why we have the structure of the authorization committees because they have expertise and their professional staffs have an expertise on much of the complicated issues before us. If we continue to allow appropriations bills to be laden with authorization legislation, I can assure my colleagues we are going to see a repeat of last year's last-minute omnibus bill.

In closing, I will make a reference to how we are seen by the administration, and I am speaking as an authorizer, as chairman of an authorizing committee.

One Secretary, Secretary Babbitt, Secretary of the Interior, has become adept at circumventing the Congress. Babbitt has indicated that he is proud of his procedure and proud of the way he is doing it. I quote:

... "We've switched the rules of the game. We're not trying to do anything legislatively," says Babbitt.

That is the National Journal, May 22, 1999.

A further quote from Secretary Babbitt:

One of the hardest things to divine is the intent of Congress because most of the time ... legislation is put together usually in kind of a House/Senate kind of thing where it's the munchkins—

The munchkins, Mr. President—

who actually draft this legislation at midnight in a conference committee and it goes out.

It is a statement from Cobel v. Babbitt, page 3668.

Lastly, from Secretary Babbitt:

I am on record around this town as saying that the real business on these issues is done in the appropriation committees, and I, I am a regular and frequent participant at all levels in those. That's, that's where the action

is, that's where things get done. The authorizing committees are partisan wrangles of the first order. I mean, nothing ever gets done on any level in the authorizing committees.

Cobel v. Babbitt, page 3811-3812.

Mr. REID. Will my friend yield for a brief question?

Mr. MURKOWSKI. I have one brief statement, and then I will yield.

It is my hope we will overturn this precedent and return the Senate to the way it has operated for nearly all of its history. Otherwise, we might just as well abandon our authorizing committees and enlarge the size of the Appropriations Committee to all 100 Members.

I believe my friend from Nevada has a question.

Mr. REID. I do have a brief question to ask the chairman of the most important Energy and Natural Resources Committee. I asked a similar question—in fact, the same question—earlier this morning of the senior Senator from Wyoming who shares a lot of the interests of the Senator from Alaska.

He said he felt it was appropriate to change rule XVI. The minority leader is going to file a motion to amend rule XXVIII for that to go back the way it used to be.

In 1996, on the FAA authorization bill, a point of order was raised that the conferees brought back information and material that was not contained in either bill of the House or the Senate. A point of order was raised that it was not. The Chair ruled that it was true. It was overruled.

I say to my friend from Alaska in the form of a question, I hope in his support to change rule XVI that he will also look at rule XXVIII because, as the senior Senator from New York who spoke earlier today said and the senior Senator from West Virginia said, the problem we are facing is magnified even more so than what the Senator from Alaska stated. The Senator from Alaska was called back from his State, and I was called back from my State last fall, and we voted on a 1,500-page bill he had not read and, I am sorry to say, I had not read. I probably could not lift that bill, let alone read it.

The fact is, there was so much material contained in that, material to which I am sure the Secretary of Interior referred. He had stuff in that bill with which the Senator from Alaska had nothing to do with and it was put in, even though he is the chairman of the committee of jurisdiction. Certainly the appropriators did not work on it. It was done by the Chief of Staff of the White House principally, a few people from the Senate, a few people from the House, and they did the work for all of us.

I hope that my friend from Alaska, who certainly has so much to do with what we do around here, especially those of us in the Western United States, will look favorably also at changing rule XXVIII back the way it used to be.

Mr. MURKOWSKI. I very much appreciate my friend from Nevada highlighting the inequity associated with the responsibility of the authorizers because, as I indicated in my statement, we get down to a situation where we are out of time and, as I stated, a few hand-picked individuals come together with the White House and basically negotiate a resolve with no participation from the authorizers. As a consequence, as he pointed out, we cannot read the material. It is basically put together simultaneously with the process of negotiation. We are short-changing our responsibility. I very much appreciate his attention given to this matter.

Mr. REID. I will also say to my friend from Alaska, the Senator from Wyoming said he agreed with us that the rule should be changed.

I yield 8 minutes to the distinguished Senator from Indiana, EVAN BAYH.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. I thank the Chair. It is an honor for me to be in the Chamber of this great institution once again with you serving as our Presiding Officer this afternoon. I thank my colleagues also for being here today.

Before I begin my remarks, I ask unanimous consent that at the conclusion of my time, my colleague from Minnesota be recognized. He has very graciously allowed me to cut ahead of him in line this afternoon. I want him, if there is no objection, to be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. I thank the Chair and my colleagues. I am pleased to be here, and I rise in opposition to Senate Resolution 160 because I believe that it represents bad public policy. It represents a lack of conviction and consistency on the part of the majority in this Chamber, and it represents a continuing erosion of the traditions of this great body which imperil the very vitality of our democracy.

I say these things, although I have no doubt that if we asked many who are in the galleries today or the citizens in my State exactly what rule XVI involves, they would have very little awareness of this or of the significance of the change that has been proposed. I do believe that if the citizens of our country understood the importance, the symbolic changes this resolution represents, they would be concerned, indeed, because the citizens of our country do care about good public policy.

The best avenue to ensuring that the people of our country have good public policy, with the fostering of vigorous, open debate, is the contest of ideas right here in the well of the Senate, where the good ideas triumph and the bad ones are weeded out.

Someone said, the best disinfectant is sunshine. That holds true in the Senate as it does in other forums. We will not get the best Government that the

people of our country deserve if the minority in this Chamber is not given the privilege of introducing our ideas before the American people and debating them in a free and open forum.

Think with me for a moment of some of the ideas that would not have been allowed to come up over the last 6 months that I have been privileged to serve in the Senate if this resolution proposed before us today were adopted.

The Patients' Bill of Rights is important to every citizen across our country. Mr. President, if you believe in the right to have access to a specialist, in emergency care, you should care about this resolution. If you believe in the right to have an effective appeal to the denial of coverage, you should support defeat of this resolution.

Likewise, the juvenile justice bill, which we addressed in the tragic aftermath of the Columbine incident, would never have come before this Chamber if this resolution that we consider today were in effect.

Something I worked very hard on, with a bipartisan group, to ensure that the States have access to the proceeds from the tobacco litigation, would never have come before this Chamber and would not have been a part of the emergency supplemental passed into law if this resolution we consider today had been in effect.

Important issues of public policy, my fellow Americans, would not be heard on the floor of this great body, the greatest deliberative body in the history of man, if the resolution proposed before us goes into effect.

Your well-being, the well-being of our country, and those about whom we care will be substantially affected if this resolution is adopted. We should not let that happen to future debates about education or the minimum wage or other things that we, as Americans, care about.

Likewise, Mr. President, I am distressed to state it, but I believe this resolution represents a very real lack of conviction, a lack of conviction on the part of the majority now controlling this Chamber. If they truly have the best ideas, if their ideas are in the best interests of the American people, why not have them subjected to amendment and debate on the floor of the Senate?

Moreover, I ask those here in our presence today, and those viewing us at home, if our ideas on this side of the Chamber are so weak, so lacking in merit, what is the fear in allowing us to debate them and vote on them in the Senate?

My friends, I think the answer is distressingly clear. There are some Members of this body who do not want to cast the tough votes. They do not want to be forced to make the tough decisions. They do not want to have to address the compelling challenges of our time. They would rather limit debate and too often gag the Members of the minority from presenting our ideas.

The answer to this, Mr. President, is simple: It is not to stifle debate, it is

not to prevent votes. If you do not believe in having a vigorous debate on the floor of the Senate, why run for the office in the first place?

As Harry Truman once said: If you can't stand the heat, you better not go into the kitchen. That is what this resolution is really all about.

Next, this resolution, unfortunately, represents a real lack of consistency on the part of the majority. It is a flip-flop, more worthy of a gymnastics contest than a debate on the floor of the Senate.

Just 4 short years ago, the majority voted to overturn the historic practice of not allowing legislation on appropriations. Now they propose to change it back. I could not blame Americans listening to our comments today if they thought what was really holding sway on the floor of the Senate had more to do with expediency in politics than consistency of principle.

Unfortunately, Mr. President, it represents something that Americans have come to view as too often is the case in Washington today, and that is the pursuit of power above all else—certainly, the pursuit of power above principle, all too frequently. And that is not how it should be.

I remind my colleagues, the majority, that the test of character is not how you behave when you are weak; the real test of character is when we see how you behave when you are strong. That is what we see today. I am afraid we are not passing this test if we go forward and gag and muzzle the minority from offering our ideas to the American people.

Let me offer this observation in conclusion.

I represent a State of 6 million souls. I believe I was elected to represent them on the floor of the Senate, to offer the ideas that will best serve to increase the opportunity that they will have in their lives. That is why I was sent to the Senate. It is not right to muzzle their elected Representative from offering the ideas that I believe will serve them best, or the Senator of Nevada believes will serve his constituents best, or the Senator from Minnesota or the other Senators in this body.

I have hanging in my office a print entitled "The United States Senate," circa 1850. It is a wonderful print that I believe embodies the history and the legacy of this institution at its finest.

In the center of this print is Henry Clay, speaking on the floor of the Senate in the historic Old Senate Chamber. And listening intently to him on the floor of the Senate were some of the giants in the Senate: Daniel Webster, John Calhoun, Thomas Hart Benton. Future Presidents of the United States were in attendance listening to the debate.

They were not debating an arcane subject that would be of no interest to the people of this country. They were debating the very union that is the foundation upon which our Nation is

built. What would our forefathers think of the changes that have taken place in this Senate if they felt that the issues of union and disunion, States rights and Federal rights, the very liberties we hold dear, were no longer allowed to be debated on the floor of the Senate?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. Mr. President, I believe they would be distressed, as I am today, and as people would be today if they understood what was at stake here. I urge my colleagues to vote against this resolution and to uphold the traditions of our Senate.

Mr. REID. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Thank you, Mr. President. I might not even need to take that much time.

First of all, I thank the Senator from Indiana for his comments. I was thinking about what he said. When I was a college teacher, I used to talk a bit about Birch Bayh, some of the Senators who took strong, principled stands. The Senator mentioned other great Senators, but I think the Senator represents a really wonderful tradition.

I think what Senator BAYH said at the very end of his remarks is what is most important to me. I was thinking about when I ran for the Senate from Minnesota. It would be an honor to be a Member of the House of Representatives; the Presiding Officer was a Member of the House of Representatives. As a Senator, you could do a much better job of being an advocate for the people in your State, because the rules of the Senate were such that you could come to the floor, even if it was you alone—maybe others would not agree with you, but hopefully you could get a majority—if you thought the Senate was in a disconnect with the people, to the concerns and circumstances of people you represented, to express your concerns.

I just mention a gathering I was at the Dahl farm in northwest Minnesota. It is a huge problem in Arkansas, too. Farmers showed up, coming from a long distance away. It was a desperate situation. In the Senate you can come to the floor and say: I have to come to the floor and fight for family farmers. I have to come to the floor to talk about comprehensive health care. I have to come to the floor and figure out a vehicle whereby I can talk about ending this discrimination when it comes to people who are struggling with mental illness. I have to come to the floor to talk about poor children in America. I have to come to the floor to talk about veterans health care and the gap in veterans health care in Minnesota and around the country.

The great thing about being a Senator is you can come to the floor with an amendment and you can fight for it.

Mr. REID. Would the Senator yield for a question?

Mr. WELLSTONE. I would be pleased to yield.

Mr. REID. You are a former professor of government. It is true, is it not, that the Constitution was drawn to protect the minority, not the majority?

Mr. WELLSTONE. That is true.

Mr. REID. Isn't it true that there is nobody better to protect the Constitution and the minority than the Senate?

Mr. WELLSTONE. Mr. President, that is part of the genius of the Senate and the way Senators have conducted themselves over the years.

Mr. REID. Do I understand the Senator to say, unless we have more of an opportunity to speak out on issues, that those minorities, in effect, are not represented here?

Mr. WELLSTONE. Mr. President, the reason I am going to vote against this resolution is, to be very direct—I am not full of hatred about this; I am just making a political point, and we do make political points on the floor of the Senate—when I look at the context of what has been going on here, I am in profound opposition to what the majority leader and the majority party have been doing, which is to sort of what we call fill up the tree, basically denying Senators the right to come to the floor with amendments, to try to make sure we don't have to debate tough and controversial questions, to try to make sure we can't move forward agendas that we, as Senators, think are important to the people of our States.

I am absolutely opposed to what I think is being done here. Therefore, I think this resolution fits into that pattern of trying to stifle dissent, trying to stifle a minority opinion, trying to stifle individual Senators from coming to the floor and doing their absolute best to be the strongest possible advocates for the people of their States. That is why I am voting against this resolution.

It is sort of two issues. One is the question that the Senator from Nevada spoke on, which is, what is the role of the Senate in relation to the House of Representatives, in relation to making sure that we have respect for minority rights, so on and forth, what is the role of the Senate as a deliberative body, as a debate body. The other issue, which is even more important to me, is whether or not I can, as a Senator, do the best possible job for the people of my State. That is why I am going to oppose this resolution.

Mr. President, I ask unanimous consent to speak for 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS BUDGET REPORT

Mr. WELLSTONE. This is an area in which the Presiding Officer has done a lot of work. I thank the Senator from Arkansas for his good work on veterans issues.

Mr. President, on June 15th I sent letters to each of the twenty-two VISN